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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MIKE GLEASON - Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

2008 FEB 12 P 3:12

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

FEB 12 2008

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF  
JOHNSON UTILITIES COMPANY, LLC FOR AN  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. WS-02987A-06-0667

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 16, 2006, Johnson Utilities, L.L.C. ("Applicant" or "Johnson") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its water and sewer Certificate of Convenience and Necessity ("Certificate" or "CC&N") to include the developments known as Monterra, Montessa, Florence Plaza, and portions of Walker Butte.

On November 14, 2006, the Commission's Utilities Division ("Staff") filed a Letter of Insufficiency.

On January 30, 2007, Applicant filed its Response to Staff's Insufficiency Letter.

On March 2, 2007, Staff filed its second Insufficiency Letter.

On April 11, 2007, Applicant filed its Response to Staff's second Insufficiency Letter.

On May 8, 2007, Staff filed a Sufficiency Letter in this docket indicating that the Applicant's application has met the sufficiency requirements as outlined in the Arizona Administrative Code ("A.A.C.")

On May 14, 2007, by Procedural Order, the hearing on this matter was set to be held on July 9, 2007.

On June 7, 2007, Applicant filed a Request for Continuance, which stated that due to Arizona Department of Water Resources compliance issues the matter needed to be continued indefinitely. No objections were filed to Johnson's request.

On June 19, 2007, by Procedural Order, Applicant's request for a continuance was granted and the time clock in this matter was suspended.

On June 29, 2007, Johnson filed its Affidavit of Publication, stating that publication was completed on June 14, 2007. Johnson also docketed a letter requesting that the July 9, 2007, hearing date be reserved for public comment only.

On July 9, 2007, a public comment session was held.

On December 13, 2007, Johnson filed a Request to Set Hearing Date ("Request") stating it had resolved the ADWR compliance issues and Johnson submitted a letter from ADWR authorizing Johnson to continue approving and recording subdivision plats in the proposed extension area.

On December 19, 2007, by Procedural Order, Staff was directed to respond to Applicant's Request to Set Hearing Date by January 14, 2008.

On January 14, 2008, Staff filed its Response to Johnson's Request to Set Hearing Date stating that Staff has no objections to Applicant's request.

Good cause has been shown and the hearing in this matter should be reset for hearing.

IT IS THEREFORE ORDERED that the **hearing in this matter is hereby reset to commence on March 31, 2008, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, Hearing Room 1, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that the **Staff Report and associated exhibits** to be presented at hearing shall be reduced to writing and filed on or before **March 7, 2008**.

IT IS FURTHER ORDERED that any **objections to the Staff Report and associated exhibits** shall be reduced to writing and filed on or before **March 17, 2008**.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) continues to apply to this proceeding as the matter is now set for public hearing.

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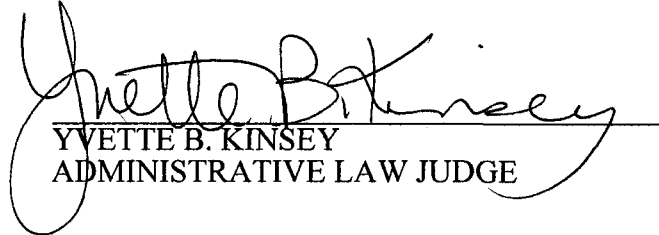
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1 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
3 ruling at hearing.

4 DATED this 12<sup>th</sup> day of February, 2008.

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7   
8 YVETTE B. KINSEY  
9 ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 this 12<sup>th</sup> day of February, 2008 to:


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28 Secretary to Yvette B. Kinsey